

United States District Court
Southern District of WV
Robert C. Byrd
US Courthouse
Virginia Street East
Charleston, WV
25301

Docket # 2:19 CR-00194-001

Pamela G. Atkins
Petitioner

VS



United States of America
Respondent

Motion For Release Under COVID-19/CARES
Act Law / Compassionate Release

This motion is to request immediate release due to the COVID-19 pandemic which has created extraordinary and compelling circumstances that require consideration for home confinement.

Time is of the essence.

Waiting for the virus to arrive is inhumane. The Coronavirus has proven to swiftly spread throughout prisons. At this time over 100 federal facilities have been infected with unacceptable numbers of infections and fatalities.

My medical conditions includes hypertension, BMI greater than 30%, chronic upper respiratory infections and a smoker of 21 years. Therefore, I meet all of the required criteria under the CARES Act and compassionate release with the COVID-19 supplement 18 U.S.C 3582 (c)(1)(A).

This court has the authority to provide for home confinement as explained in United States vs Poulios (April 21, 2020.) As an initial matter, the administrative allowances expanding the availability of home confinement provided to the BOP by the CARES Act do not limit or supersede the discretion afforded to the court pursuant to the amended version of 18 U.S.C 3582 (c)(1)(A). Under the FIRST STEP ACT, it is for district courts to determine whether there are grounds for compassionate release, not the BOP. Moreover, the court's compassionate release discretion pursuant to 18 U.S.C 3582 (c)(1)(A) says incarceration is not limited to a federal facility as home confinement

is a form of incarceration. At this time home confinement is the only option for my safety. This facility and surrounding hospitals are unable to provide attention when the virus arrives.

The BOP is neglecting to follow the authority given to them by Attorney General William Barr to evacuate inmates who are at camps and minimum risk to the community. This demonstrates their failure to comply to reduce the population and protect from the virus. It's well documented the BOP is endangering lives of individuals who are entrusted into their care by failing to establish consistent and effective safe guards to protect inmates and staff from the coronavirus. Recently the warden at FPC Alderson removed 17 workers last week from general population. These inmates were exposed to the majority of the population due to their jobs. This was reckless after 100+ days on lockdown.

In conclusion I remind this court the rate of fatality in West Virginia is increased to an all time high and the admission rate to hospitals have resulted in a shortage of beds and respirators. When the coronavirus arrives at FPC Alderson it will be disastrous. The CDC guidelines confirm I am at high risk and more vulnerable to contracting the coronavirus.

Contracting the virus with my health conditions could result in a fatality more so than one who is healthy. I am humbly requesting this court's consideration in releasing me to home confinement. Thank You for your time and consideration to this matter.

Respectfully signed
Pamela Adkins

Pamela Adkins #15374-088

Federal Prison Camp Alderson

Unit A-2

P.O. Box A

Alderson, WV 24910

**Bureau of Prisons
Health Services
Medication Summary**

Current as of 06/29/2020 07:29

Complex: ALD--ALDERSON FPC	Begin Date: N/A	End Date: N/A
Inmate: ADKINS, PAMELA GAIL	Reg #: 15374-088	Quarter: A02-571U

Medications listed reflect prescribed medications from the begin date to end date on this report.

Allergies: Denied

Active Prescriptions

ARIPIprazole 2 MG Tab

Take one and one-half (1 and 1/2) tablets (3 MG) by mouth each morning ***NOTE DOSE and STRENGTH*** *consent form on file *

Rx#: 149174-ALD **Doctor:** Dickenson, Joseph MD/CD

Start: 06/19/20 **Exp:** 08/18/20

Pharmacy Dispensings: 21 TAB in 10 days

DULoxetine HCl Delayed Rel 60 MG Cap

Take one capsule (60 MG) by mouth each day

Rx#: 146537-ALD **Doctor:** Dickenson, Joseph MD/CD

Start: 02/19/20 **Exp:** 08/17/20

Pharmacy Dispensings: 150 CAP in 131 days

HydroCHLORothiazide 12.5 MG Cap

Take one capsule (12.5 MG) by mouth each morning

Rx#: 147925-ALD **Doctor:** Dickenson, Joseph MD/CD

Start: 04/15/20 **Exp:** 02/18/21

Pharmacy Dispensings: 90 CAP in 75 days

Lisinopril 10 MG Tab

Take one tablet (10 MG) by mouth each day

Rx#: 146539-ALD **Doctor:** Dickenson, Joseph MD/CD

Start: 02/19/20 **Exp:** 02/18/21

Pharmacy Dispensings: 150 TAB in 131 days

Meloxicam 15 MG Tab

Take one tablet (15 MG) by mouth each day

Rx#: 146540-ALD **Doctor:** Dickenson, Joseph MD/CD

Start: 02/19/20 **Exp:** 08/17/20

Pharmacy Dispensings: 150 Tab in 131 days

Bureau of Prisons
Health Services
Health Problems Report

Reg #	Inmate Name	Complex	Facility	Qtrs	Age	Sex	Code	Diagnosed	Status	Status Date
15374-088	ADKINS, PAMELA Major depressive disorder, recurrent	ALD	A02-571U	44	F		F339	02/18/2020	Current	
15374-088	ADKINS, PAMELA Tachycardia, unspecified	ALD	A02-571U	44	F		R000	02/18/2020	Current	
15374-088	ADKINS, PAMELA Essential (primary) hypertension	ALD	A02-571U	44	F		I10	02/18/2020	Current	
15374-088	ADKINS, PAMELA Low back pain	ALD	A02-571U	44	F		M545	02/18/2020	Current	
										Count: 4
										Total: 4

** As of 02/23/2016, type field will no longer be required

TRULINCS [REDACTED] - Unit: ALD-A-B

United States v. Torres, (No. 87-Cr-593 (SHS) (SDNY June 2, 2020) (two defendants both with LWOP sentences reduced);
United States v. Dickerson, (No. 1:10CR17 HEA) (ED Mo. June 1, 2020);
United States v. Smith, (No. CR07-3038-LTS) (SD Iowa June 1, 2020);
United States v. Kamaka, (No. 18-00085 SOM) (D Hawaii June 1, 2020);
United States v. Van Cleave, (No. CR03-247-RSL) (WD Wash. May 29, 2020);
United States v. Castillo, (No. H-08-146-01) (SD Tex. May 29, 2020);
United States v. Baclan, (No. 16-00468 HG-01) (D Hawaii May 29, 2020);
United States v. Pena, (No. 16-10236-MLW) (D Mass. May 29, 2020); and
United States v. Bass, (No. 1:10-CR-166 (LEK)) (NDNY May 27, 2020).

Of note, Mr. Bernie Madoff was denied a federal sentence reduction under compassionate release.

COMMENT:

Time is running out for anyone who is considering filing a second or successive § 2255 Motion in light of United States v. Davis, 139 S. Ct. 2319, 2336 (2019), needs to file it by June 24, 2020, which is the one year deadline of when Davis was decided. If you need help, we can help you as our success rate with these motions continues to be very high. We continue to be very successful with compassionate release motions and having people released. Two more of our clients were released last week. This is because we are extremely selective on the cases we take. We turn down about 9 out of 10 cases. It is also very helpful if you can obtain your medical records ahead of time because they are difficult to obtain and can slow the process down. Therefore, you must pursue obtaining them with due diligence because it can be the key that turns the lock to get you released early.

According to the CDC, compassionate release people at high-risk for severe illness from COVID-19 that qualify include, but are not limited to: People 65 years and older; People with chronic lung disease - moderate to severe asthma, [COPD], and emphysema; People with serious heart conditions; People with immunocompromised conditions, including cancer treatment, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications; People who are severely obese (body mass index [BMI] of 40 or higher); People with diabetes; People with chronic kidney disease and who are undergoing dialysis; People with liver disease; neurologic disorder, neurodevelopmental, hypertension or intellectual disability; pregnancy; current smoking status; former smoking status; or other chronic disease.

We suggest that you immediately request for a Lookup to see if you think you might qualify for compassionate release if you have any of the above high risk for severe illness listed above and documentation to support it. We are especially keen on and have already had great success with our compassionate release motions. Some of ours are listed above. As we have previously reported, compassionate release has come to be interpreted very broad in many federal courts especially in the age of COVID-19. If you believe that you have a meritorious claim of any kind, please do not hesitate to request an immediate Free Case Lookup.

FOR FREE QUICK LOOKS FOR ALL KINDS OF FEDERAL CRIMINAL CASES, PLEASE SUBMIT THE FOLLOWING:
(1) FULL NAME & REG. NUMBER; (2) WHERE YOU WENT TO COURT (City & State); and (2) OUTSIDE CONTACT'S INFORMATION (Name, Telephone Number and they must know why we are calling). WE HANDLE ALL KINDS OF FEDERAL CRIMINAL CASES FROM PRE-INDICTMENT TO POST CONVICTION. WE HAVE A HIGH SUCCESS RATE. Outside Contacts may also call 800-401-3290. Please make sure they have your information for the above. They can also email: Mimi Harper [mhalert1759@gmail.com]; and Carina Garcia [carina.garcia2@yahoo.com for Spanish Speaking Only at 256-648-1131].

FEMALE PATTERN RISK SCORING					
Register Number:	15374-088		Date:	7/20/2020	
Inmate Name:	adkins, pamela				
FEMALE RISK ITEM SCORING		CATEGORY	GENERAL SCORE	Enter Score	VIOLENT SCORE
1. Current Age	41-50 Click on gray dropdown box to select, then click on dropdown arrow	> 60	0	10	0
		51-60	5		1
		41-50	10		2
		30-40	15		3
		26-29	20		4
		< 26	25		5
2. Violent Offense (PATTERN)	No	No	0	0	0
		Yes	0		3
3. Criminal History Points	0 - 1 Points 0 - 1 Points	0 - 1 Points	0	0	0
		2 - 3 Points	8		4
		4 - 6 Points	16		8
		7 - 9 Points	24		12
		10 - 12 Points	32		16
		> 12 Points	40		20
4. History of Escapes	None	None	0	0	0
		> 10 Years Minor	3		2
		5 - 10 Years Minor	6		4
		< 5 Years Minor/Any Serious	9		6
5. History of Violence	None None	None	0	0	0
		> 10 Years Minor	1		1
		> 15 Years Serious	2		2
		5 - 10 Years Minor	3		3
		10 - 15 Years Serious	4		4
		< 5 Years Minor	5		5
		5 - 10 Years Serious	6		6
		< 5 Years Serious	7		7
6. Education Score	HS Degree/GED	Not Enrolled	0	-6	0
		Enrolled in GED	-3		-1
		HS Degree/GED	-6		-2
7. Drug Program Status	No DAP Completed No DAP Completed	No DAP Completed	0	0	0
		NRDAP Complete	-4		-1
		RDAP Complete	-8		-2
		No Need	-12		-3
8. All Incident Reports (120 months)	0	0	0	0	0
		1	1		1
		2	2		2
		> 2	3		3
9. Serious Incident Reports (120 months)	0	0	0	0	0
		1	1		1
		2	2		2
		> 2	3		3
10. Time Since Last Incident Report	12+ months or no incidents	12+ months or no incidents	0	0	0
		7-12 months	2		1
		3-6 months	4		2
		< 3 months	6		3
11. Time Since Last Serious Incident Report	12+ months or no incidents	12+ months or no incidents	0	0	0
		7-12 months	1		1
		3-6 months	2		2
		< 3 months	3		3
12. FRP Refusal	No	No	0	0	0
		Yes	3		0
13. Programs Completed	0 0	0	0	0	0
		1	-1		-1
		2 - 3	-2		-2
		4 - 10	-3		-3
		> 10	-4		-4
14. Work Programs	0 Programs	0 Programs	0	0	0
		1 Program	-1		-1
		> 1 Program	-2		-2
Total Score (Sum of Columns)			General:	4	Violent:
General/Violent Risk Levels			General:	Minimum	Violent:
OVERALL FEMALE PATTERN RISK LEVEL			Minimum		

Amelia Atkins #15374-088
Federal Prison Camp Alderson
Unit A-2
P.O. Box A
Alderson, WV 24910

U.S. MARSHALS SERVICE
X-RAYED

BY:



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